

No. 17-1744

IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

Case No. 14-CV-2101 (PJS/BRT)

LOUIS J. PETERSON, D.C., on behalf of Patients E, I, K, L, N, P, Q and R, and
on behalf of all others similarly situated,

Plaintiff-Appellee,

LUTZ SURGICAL PARTNERS, PLLC; NEW LIFE CHIROPRACTIC, PC

Plaintiffs

v.

UNITEDHEALTH GROUP INC., UNITED HEALTHCARE SERVICES, INC.,
UNITED HEALTHCARE INSURANCE COMPANY and UNITED
HEALTHCARE SERVICE LLC,

Petitioners-Appellants.

[See Next Page for Continuation of Caption]

Appeal from the United States District Court
for the District of Minnesota

PETITIONERS-APPELLANTS' MOTION FOR AN EXTENSION OF TIME TO
FILE PETITION FOR REHEARING EN BANC

Case No. 15-CV-3064 (PJRS/BRT)

RIVERVIEW HEALTH INSTITUTE, on its own behalf and on behalf of all others
similarly situated,

Plaintiff-Appellee,

v.

UNITEDHEALTH GROUP INC., UNITED HEALTHCARE SERVICES, INC.,
UNITED HEALTHCARE INSURANCE COMPANY and OPTUM, INC.,

Petitioners-Appellants.

Pursuant to Federal Rules of Appellate Procedure 26(b) and 40(a)(1),
Petitioners-Appellants Unitedhealth Group Inc., United Healthcare Services, Inc.,
United Healthcare Insurance Company, United Healthcare Service LLC and
Optum, Inc. (collectively “United”) hereby request that the Court grant United a
one-week extension of the deadline to file a petition for rehearing en banc.
Appellees consent to this extension.

1. A panel of this Court issued an opinion deciding United’s appeal on
January 15, 2019. United believes that this proceeding involves questions of
exceptional importance, and intends to seek rehearing en banc.

2. Under the Federal Rules of Appellate Procedure, United’s petition for
rehearing en banc is currently due January 29, 2019. United seeks a one-week
extension of that deadline, to February 5, 2019.

3. Good cause exists to grant United’s requested extension due to the
complexity of the issues presented in this case and because the undersigned has a
non-elective medical procedure scheduled for January 29, 2019, as well as multiple
preexisting work conflicts that have interfered with, and will continue to interfere
with, his preparation of the petition, including an oral argument in the District of
Connecticut on January 24, 2019. Finally, as previously noted, United has
conferred with counsel for Appellees regarding this requested extension, and they
have consented.

For the foregoing reasons, United's motion for an extension should be granted, such that United's petition is due no later than February 5, 2019.

Dated: January 22, 2019

Respectfully submitted,

/s/ Gregory F. Jacob

GREGORY F. JACOB

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Counsel for Petitioners-Appellants

CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rules of Appellant Procedure 27 and 32, Appellant's Motion for an Extension of Time to File Their Reply Brief contains 234 words, which complies with the length limitations of Rule 27, and it has been prepared with 14-point Times New Roman font, which complies with the type-style and typeface requirements of Rule 32.

/s/Gregory F. Jacob

Gregory F. Jacob

Counsel for Petitioners-Appellants

CERTIFICATE OF SERVICE

I hereby certify that, on this 22 day of January 2019, I electronically filed the foregoing with the Clerk of the Court using the appellate CM/ECF system. All participants are registered CM/ECF users, and will be served by the appellate CM/ECF system.

/s/Gregory F. Jacob
Gregory F. Jacob

Counsel for Petitioners-Appellants